

Staff Summary Report



Hearing Officer Hearing Date: October 2, 2007

Agenda Item Number: 3

SUBJECT: This is a public hearing for a request by the **CARTEL COFFEE LAB LLC (PL070384)** located at 225 West University Drive for two (2) use permits.

DOCUMENT NAME: 20071002dssl01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the **CARTEL COFFEE LAB LLC (PL070384)** (Jason Silberschlag, applicant; Friedman Investments LLC, property owner) located at 225 West University Drive, Suite No. 101, in the GID, General Industrial and CC, City Center Districts for:

ZUP07132 Use permit to allow coffee roasting/retail.

ZUP07133 Use permit to allow portable outdoor retail coffee (coffee cart).

PREPARED BY: Sherri Lesser, Senior Planner (480-350-8486)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

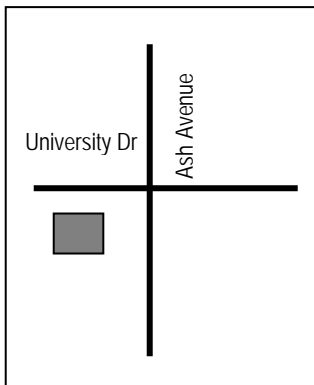
A handwritten signature in black ink, appearing to read 'SEA'.

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions 1-9.

ADDITIONAL INFO: Cartel Coffee Lab, LLC is requesting approval of a use permit to allow coffee roasting with retail sales located at 225 West University Drive in the (GID) General Industrial District. The coffee roasting and retail operation will occupy Suite 101 within the center; in addition the applicant is requesting a use permit to allow a portable coffee cart. Staff is recommending approval of the request with conditions. To date, there has been no public input.



1. List of Attachments
2. Comments;
3. Reason(s) for Approval; Conditions of Approval; History & Facts/Description
4. Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan
5. Floor Plan
6. Coffee Cart – Option 1
7. Coffee Cart – Option 2
- 8-10. Staff Photograph(s)

COMMENTS:

Cartel Coffee is requesting approval of a use permit to allow a coffee roasting operation at their new location. The business operation calls for the roasting of coffee beans which results in periodic release of a coffee odor. The applicant has stated in their letter; there will be no emissions of dust, gas, noise, vibration, glare or hydrocarbons. They have purchased roasters with the specific intent to eliminate 100% of the odors created in the roasting process. The proposed hours of operation are Monday through Saturday from 8:00 AM to 6:00PM. The business will have (2) full-time employees.

In addition to the indoor coffee roasting and retail operation; the applicant is requesting approval of a portable coffee cart. The applicant has submitted two locations for the cart. Option 1 is within a parking space along the University Drive Street frontage and Option 2 is located on an existing concrete pad behind the building located to the north of the applicant's tenant space.

Per the Zoning and Development Code criteria for outdoor retailing; the only viable option is #2. The ZDC does not allow temporary retailing from existing parking spaces; modifications to the existing parking lot and the elimination of two parking spaces would be required to make option #1 viable.

To date, there has been no public input.

Use Permit

The Zoning and Development Code requires a Coffee Roasting business to obtain a use permit in the GID, General Industrial District.; as well as a use permit to allow outdoor retailing. The proposed use permit(s) meet all applicable tests in the following manner:

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - This is a coffee roasting use; there should be minimal nuisances (odors) within this industrially zoned area.
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
 - The proposed development would not contribute to neighborhood deterioration or downgrade property values. This use permit request is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies.
- d. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with surrounding uses.

Conclusion

Staff recommends approval of the use permits subject to the attached conditions of approval.

**REASON(S) FOR
APPROVAL:**

1. Traffic generated by this use should not be excessive.
2. There will be no apparent damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
3. The use appears to be compatible with the building, site and adjacent properties.

**SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE
FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.**

**CONDITION(S)
OF APPROVAL:**

1. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
2. The use permit is transferable. Should the business be sold, the new owners must reprocess for administrative review.
3. The use permit is valid for the plans and business operation as submitted to and approved by the Hearing Officer/Board of Adjustment. The coffee cart location is approved for location #2; on the concrete pad behind the building at front of center.
4. Any expansion or intensification of use shall require a new use permit to be approved.
5. If there are any complaints arising from the uses herein permitted that are verified by a consensus of the complaining party and the City Attorneys office, the use permit may be returned to the Board of Adjustment, and another public hearing set to re-evaluate the use permit.
6. The vent, stack, chimney, and exposed mechanical equipment shall not exceed the parapet of the existing building. If the equipment exceeds the parapet, you will need a secondary screen wall that will have to be approved by applying to Development Plan Review.
7. Refuse and recycling receptacles shall be provided to keep the premises around the cart free of debris.
8. The proposed retail stand shall not conflict with pedestrian walkways or required exits for other buildings.
9. The applicant shall comply with all provisions of Zoning and Development Code with respect to signs.. No display of portable signs, banner signs, pennants, flags, balloons, or inflatable signs shall be allowed on or near cart.

HISTORY & FACTS:

September 18, 2007. The Hearing Officer continued this request to the October 2, 2007 meeting.

DESCRIPTION:

Owner – Friedman Investments LLC
Applicant – Jason Silberschlag
Existing Zoning – GID, General Industrial and CC, City Center Districts

**ZONING AND
DEVELOPMENT
CODE REFERENCE:**

Part 3, Chapter 3, Section 3-302

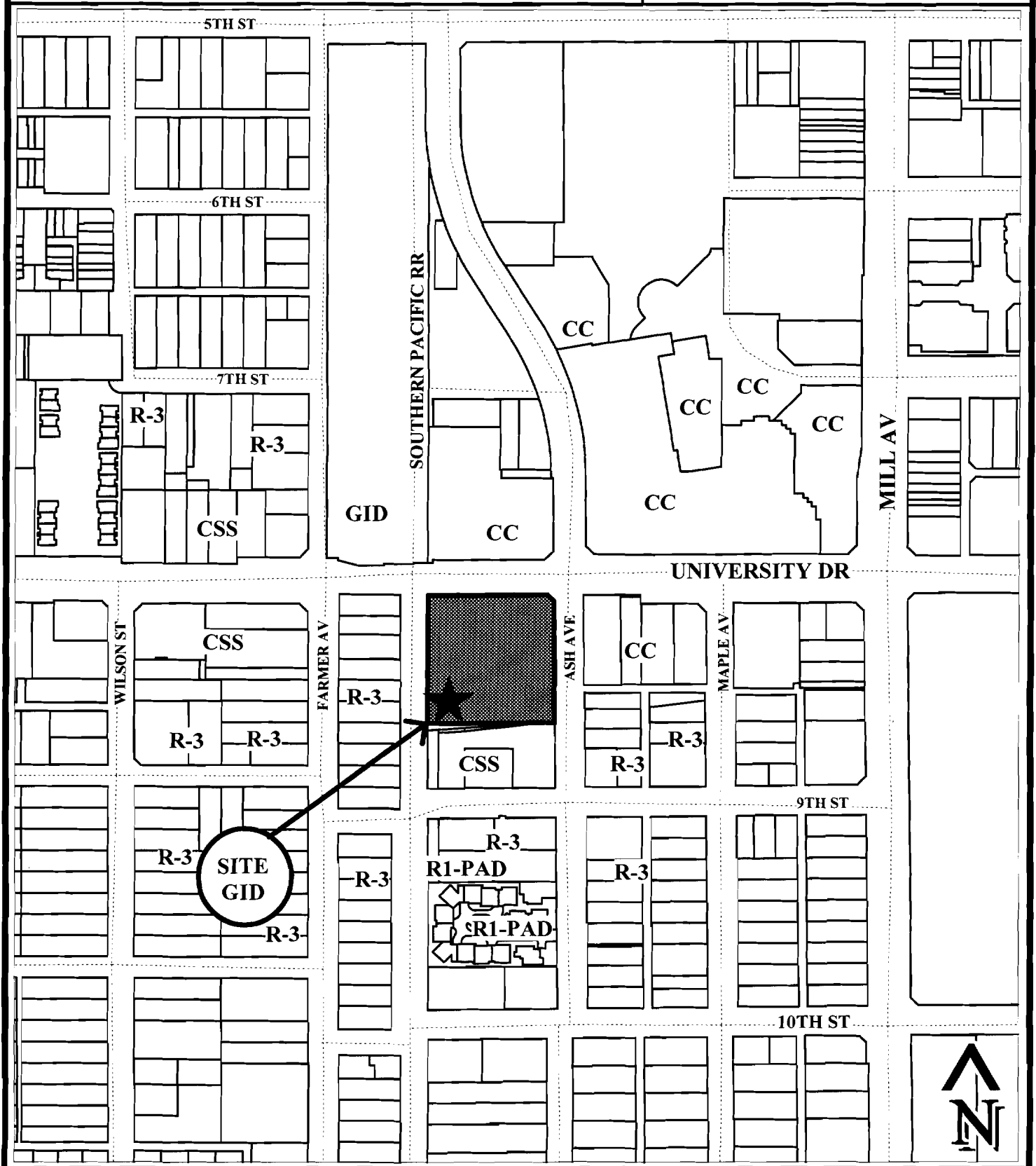
Permitted Uses in Office/Industrial Districts – Table 3-302A – Coffee Roasting or Manufacturing in GID,
General Industrial District requires a use permit;

Part 6, Chapter 3, Section 6-308

Use Permit.

CARTEL COFFEE LAB LLC

PL070384



Location Map



CARTEL COFFEE LAB LLC (PL070384)

Letter of Explanation

Coffee Roastery and Coffee Cart
225 W. University Dr.

Responsible Individual:

Jason Silberschlag

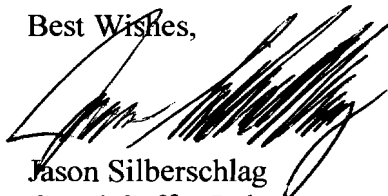
To Whom It May Concern:

Our goal with the Coffee Roastery and Coffee Cart at 225 W. University Dr. is help contribute to the betterment of the community and the quality of life for the citizens of Tempe. With this goal in mind, we looked at many different types of coffee roasters for purchase and chose one with the specific intent to eliminate all odors associated with the coffee roasting process. We have gone to great lengths and expense to eliminate 100% of these odors in order to not be a nuisance to the neighborhood and surrounding areas. The roaster we have purchased will only roast 25 pounds per batch, which is extremely small in scale to other coffee roasters in the area. The Roastery operating hours will be 10AM-6PM Monday-Saturday. Inside we will have a small retail area for fresh roasted whole bean coffee, home brewing equipment, home espresso machines, and some local artists work. The roastery will operate with one to two employees, and will probably have about 20 customers per day throughout the 8 hour period. The effect of this small local business on the area will only be positive, bringing Tempe citizens closer to a great cup of coffee at home.

As for the Coffee Cart, we will be operating 6AM-10AM Monday-Friday and will only need 1 employee. The Cart will sell coffee and espresso beverages to people traveling to school and work. The purpose will be to add convenience to the coffee consuming public. The cart is 8 feet long and 2.5 feet wide. It is very small and will see about 50 customers within the 4 hour period. Our goal with the cart is to NOT be a nuisance, but to add convenience and quality to those who consume coffee in Tempe. The cart will operate on the private property stated above, on a paved surface, and when not in operation, will be stored inside the roastery. No physical objects or effects will be visible while the cart is not in service. In fact, you will not even know it was there unless you saw it previously in operation. The cart will be constructed professionally with quality materials. The cart will fit in well while in operation with the surrounding structures of the property. The effect of this small coffee cart on the area will be positive, bringing quality and convenience to those who pass by.

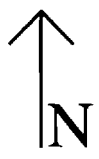
Thank you all for the opportunity to do business in the city of Tempe!

Best Wishes,

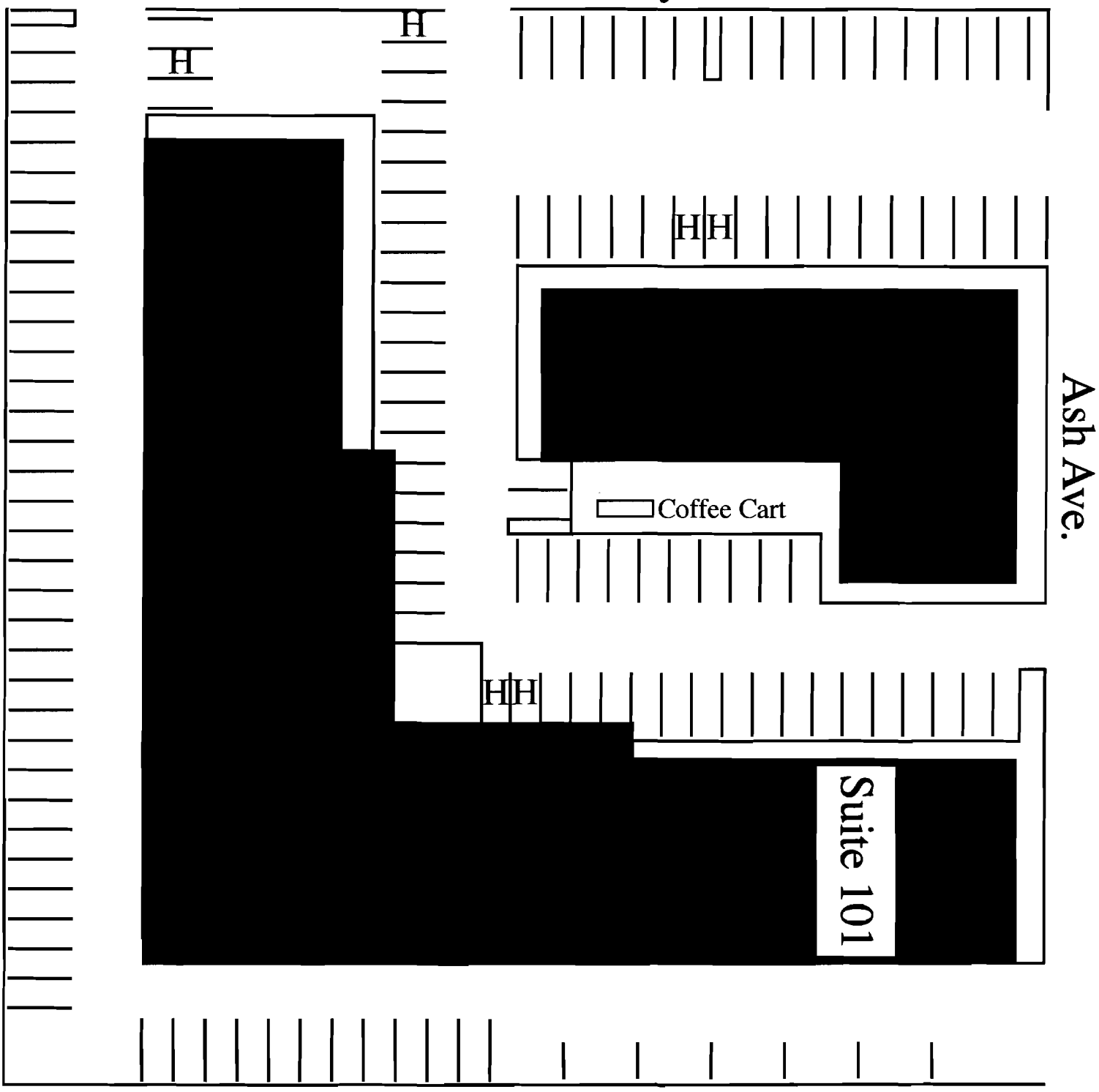


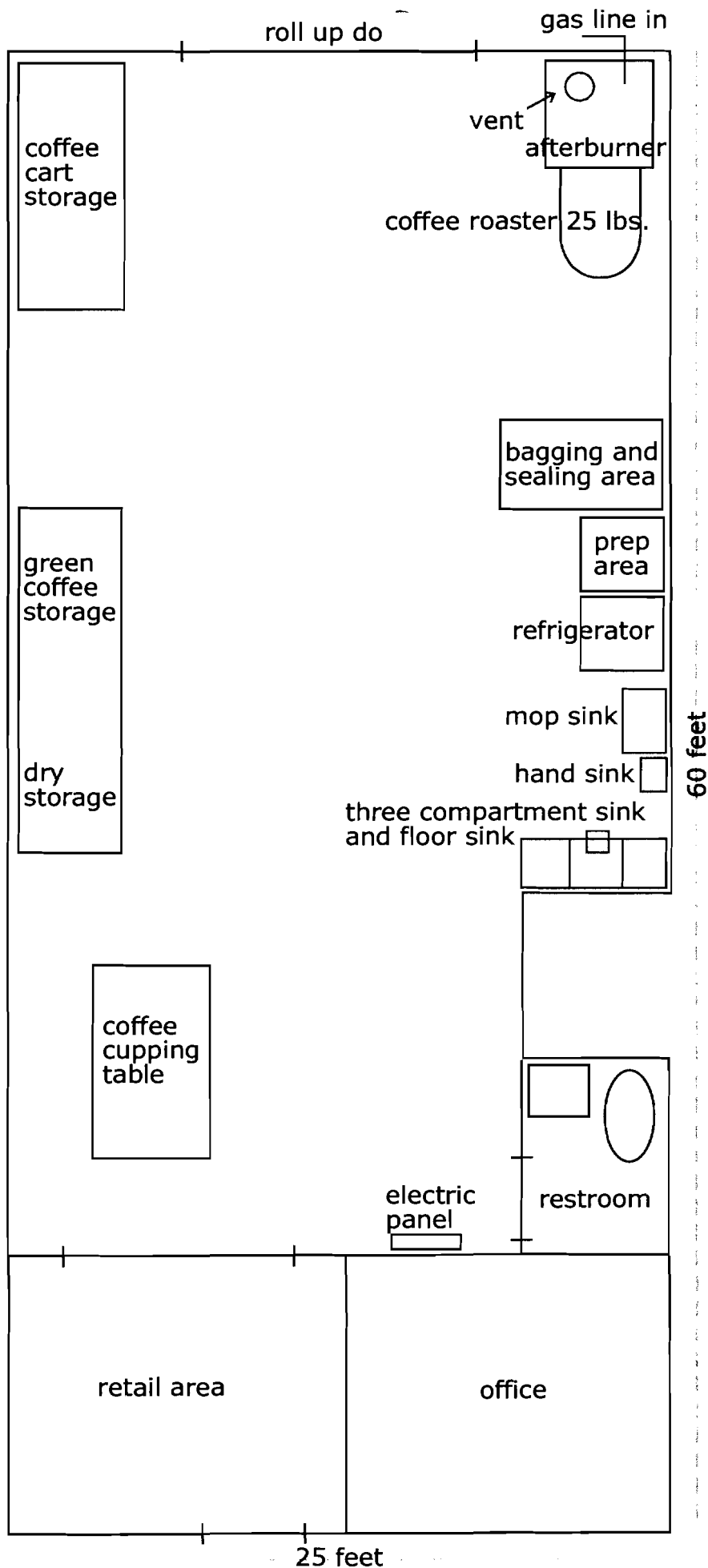
Jason Silberschlag
Cartel Coffee Lab

Site Plan 215/225 W. University
for Suite 101 and Coffee Cart



University Dr.



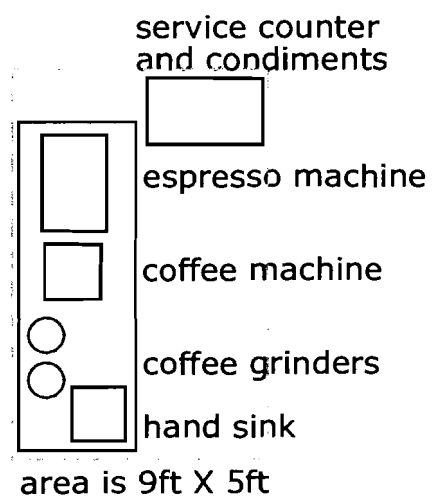


Coffee Roasting Facility and Cart Layout

225 W. University Dr.
Suite 101

coffee cart

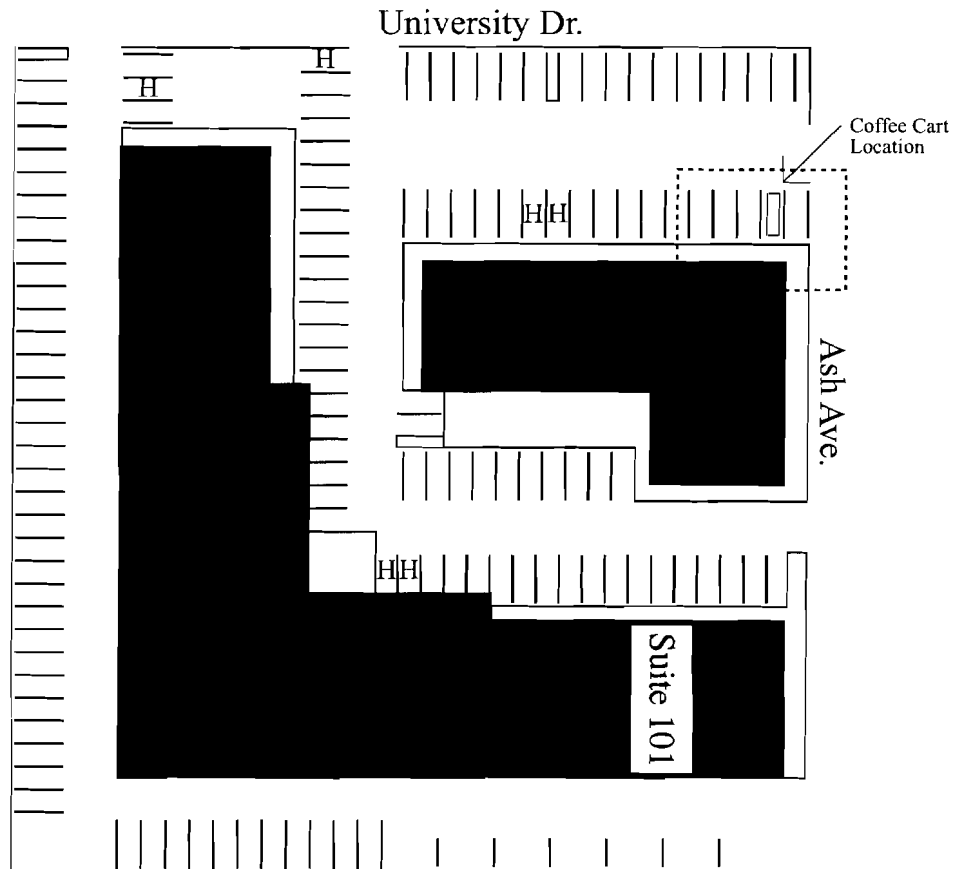
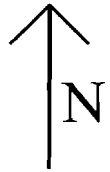
(see attached site plan for location)



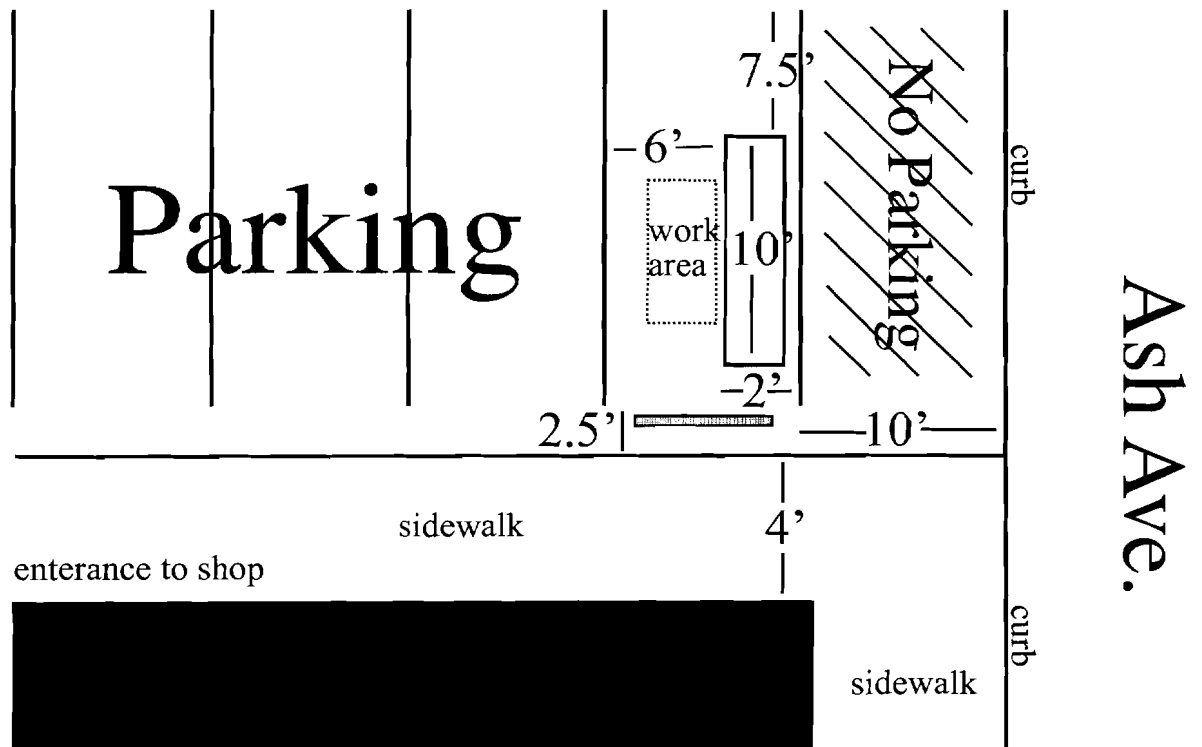
all water is commom,
so the water heater is
off premises

Site Plan 215/225 W. University

for Suite 101 and Coffee Cart



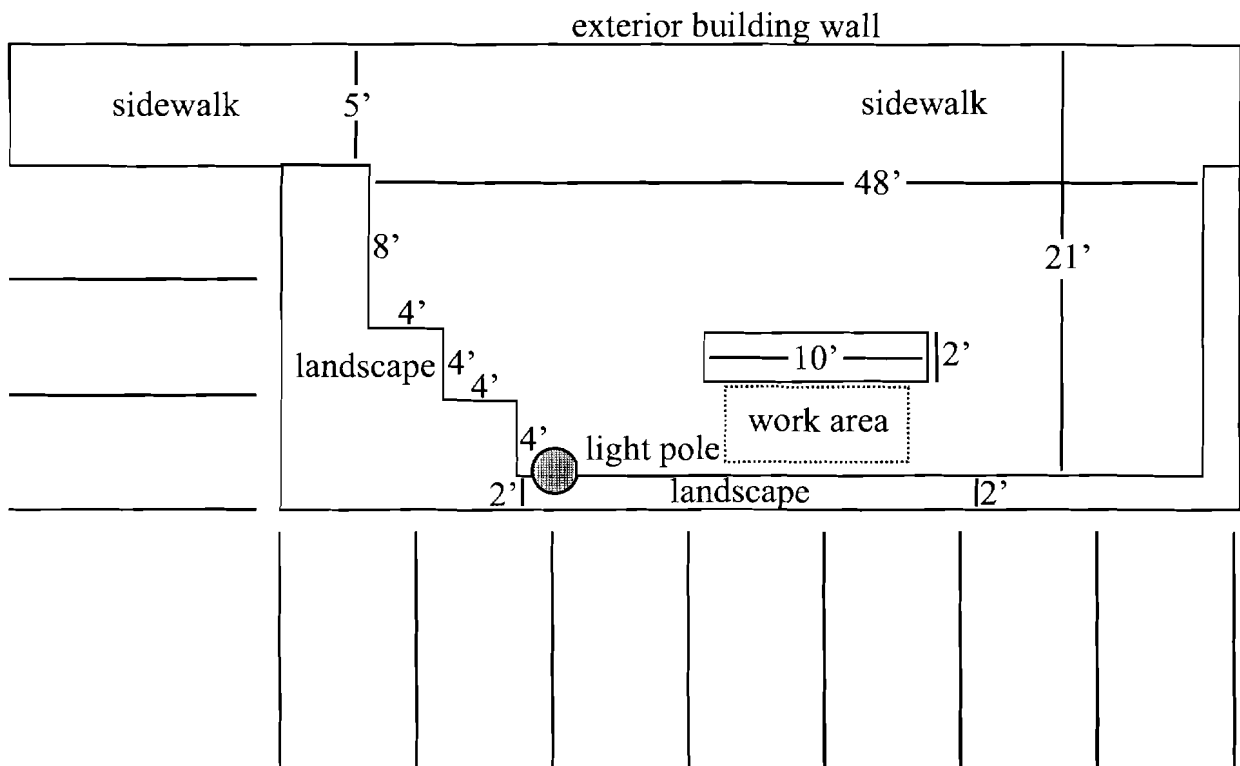
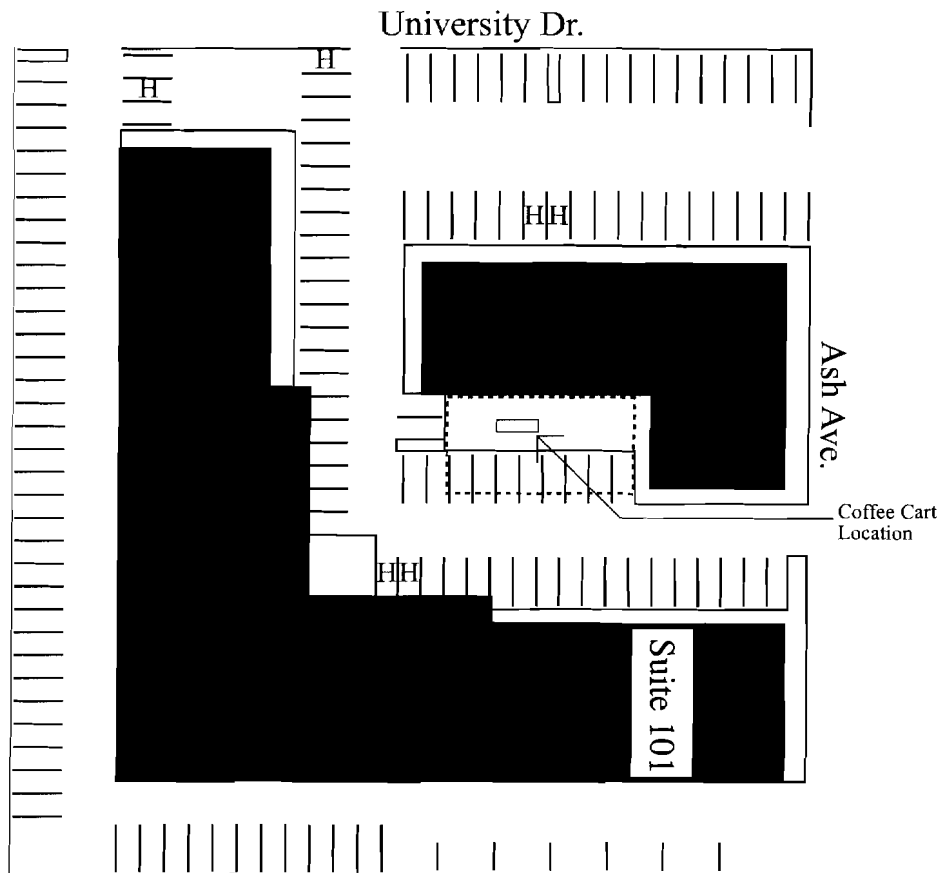
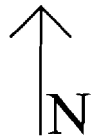
driveway entrance



Option #1

Site Plan 215/225 W. University

for Suite 101 and Coffee Cart



Option #2



CARTEL COFFEE LAB LLC

**225 WEST UNIVERSITY DRIVE
SUITE: 101**

PL070384

PROPERTY : VIEW TO SOUTH WEST



CARTEL COFFEE LAB LLC

**225 WEST UNIVERSITY DRIVE
SUITE: 101**

PL070384

PROPERTY : VIEW TO NORTH



CARTEL COFFEE LAB LLC

**225 WEST UNIVERSITY DRIVE
SUITE: 101**

PL070384

PROPERTY : VIEW TO SOUTH